



UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF TENNESSEE

BRYCE VANDIVER,

Plaintiff,

vs.

THE CAPITAL MARKETS COMPANY, LLC,

Defendant.

Case No. 3:22-cv-00852

Judge: Eli J. Richardson

Magistrate Judge Jeffrey S. Frensley

**DEFENDANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME**

Defendant The Capital Markets Company, LLC (“Capco”) respectfully moves this Court for a 45-day extension of time for Capco to answer or otherwise respond to Plaintiff Bryce VanDiver’s (“VanDiver”) Complaint. As grounds for this motion. Capco submits the following:

1. VanDiver filed the Complaint in this matter in the Chancery Court of Davidson County, Tennessee on September 14, 2022. VanDiver served the Complaint upon Capco on September 19, 2022.
2. Capco removed this case in a timely manner to this Court on October 18, 2022.
3. The original deadline for Capco to answer or otherwise respond to the Complaint is October 25, 2022, which is seven (7) days after Capco’s filing of the notice of removal of this case to this Court. Fed. R. Civ. P. 81(c)(2)(C).
4. Capco requires additional time to answer or otherwise respond to the Complaint because it needs to thoroughly investigate the matter and gather documents that are relevant to the allegations in the Complaint.
5. Counsel for Capco has consulted with counsel for VanDiver, who does not

oppose this motion.

Accordingly, Capco respectfully requests that this Court enter an Order extending the time for Capco to answer or otherwise respond to the Complaint by 45 days, up to and including December 9, 2022.

Dated: October 21, 2022

Respectfully submitted,

/s/ Thomas H. Dundon  
Thomas H. Dundon, # 004539  
Neal & Harwell, PLC  
1201 Demonbreun Street, Suite 1000  
Nashville, TN 37203  
Telephone: (615) 244-1713  
Facsimile: (615) 726-0573  
[tdundon@nealharwell.com](mailto:tdundon@nealharwell.com)

*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Unopposed Motion was served via the Court's CM/ECF electronic filing system this 21 October 2022 upon:

Joe P. Leniski, Jr.  
Daniel P. Hull  
Branstetter, Stranch & Jennings, PLLC  
223 Rosa L Parks Ave, Suite 200  
Nashville, Tennessee 37203  
joeyl@bsjfirm.com  
[danielh@bsjfirm.com](mailto:danielh@bsjfirm.com)

*Attorneys for Plaintiff*

By: /s/ Thomas H. Dundon  
THOMAS H. DUNDON